

ORIGINAL

County of LaSalle, Illinois, Department of Highways and City of  
Streator, Illinois,  
Petitioners,

Vs.

Burlington Northern and Santa Fe Railway Company and State of  
Illinois, Department of Transportation,  
Respondents.

Petition for an Order of the Illinois Commerce Commission  
authorizing the replacement of the structure where E. Broadway  
Street goes over the tracks of the Burlington Northern Santa Fe  
Railway Company and the SB Warehousing, Inc. in Streator,  
LaSalle County, Illinois, apportioning costs thereof and directing  
an appropriate portion thereof to be borne by the Grade Crossing  
Protection Fund.

T04-0069

RECEIVED  
FEB 17 2006

Illinois Commerce Commission  
RAIL SAFETY SECTION

STAFF BRIEF ON EXCEPTIONS

Staff received the Hearing Examiner's Proposed Order concerning the above  
Docket on February 8, 2006.

Staff concurs with the Administrative Law Judges Proposed Order as drafted with  
the following exceptions:

- 1.) Page 9, Second Ordering paragraph contains numerical errors.

"IT IS FURTHER ORDERED that the total assistance from the Grade Crossing  
Protection Fund of the Motor Fuel Tax Law authorized for this project shall be  
limited to \$4,482,000. Grade Crossing Protection Fund assistance shall be  
limited to \$2,448,200 in state fiscal year FY 06 and \$2,033,800 in FY 07."

The Paragraph should read:

"IT IS FURTHER ORDERED that the total assistance from the Grade Crossing  
Protection Fund of the Motor Fuel Tax Law authorized for this project shall be  
limited to \$4,411,852. Grade Crossing Protection Fund assistance shall be  
limited to \$2,448,200 in state fiscal year FY 06 and \$1,963,652 in FY 07."

  
Henry C. Humphries, Railroad Safety Specialist

February 17, 2006  
Date

DOCKETED

FEB 17 2006

HH-DJ

The above was served on the following parties:

Mr. Victor A. Modeer Director of Highways, IDOT ATTN: JEFF HARPRING, ROOM 205 2300 South Dirksen Parkway Springfield, IL 62764	BNSF Railway Company CT Corporation System 208 S. LaSalle Street Chicago, IL 60604
Mr. W. Douglas Werner BNSF Railway Company P.O. Box 961039 Fort Worth, TX 76161-0039	Ms. Cheryl Townlian Burlington Northern and Santa Fe Railway Company 3253 E. Chestnut Expressway Springfield, MO 65802
Mr. Ray Schmitt City of Streator, Mayor 204 South Bloomington Street Streator, IL 61363-2903	Ms. Pamela K. Leonard City of Streator, Clerk 204 South Bloomington Street Streator, IL 61363-2903
Mr. Lawrence J. Kinzer LaSalle County Highway Department P.O. Box 128 1400 North 27 <sup>th</sup> Road Ottawa, IL 61350	Mr. Michael L. Sazdanoff Kenneth J. Wysoglad & Associates 118 S. Clinton Street, Suite 700 Chicago, IL 60661
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